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 the SS Entities

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a Japanese corporation,) CIVIL NO. CV 04-00124 ACK/BMK
Plaintiff,) CONSOLIDATED CASES
vs.) ERRATA TO PLAINTIFF'S' AND THIRD-PARTY DEFENDANTS' MEMORANDUM IN OPPOSITION TO KG DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
QK HOTEL, LLC, a Hawai'i limited liability company, et al.,) IN CV NO. 04-00128 ACK-BMK FILED JANUARY 13, 2006, AND SUBMISSION OF TRANSLATION OF EXHIBIT "T-1" TO THE DECLARATION OF TSUGIO FUKUDA; EXHIBIT "T-1E"; CERTIFICATE OF SERVICE
Defendants,)
and)
FRANKLIN K. MUKAI,)
Third-Party Plaintiff,) Hearing Date: March 20, 2006 Time: 9:30 a.m.
vs.) Judge: Hon. Alan C. Kay
SPORTS SHINKO (USA) CO.; LTD., a Delaware corporation, et al.,)
Third-Party Defendants.)

SPORTS SHINKO (USA) CO., LTD.,) CIVIL NO. CV 04-00125
a Delaware corporation,) ACK/BMK
)
Plaintiff,)
)
vs.)
)
PUKALANI GOLF CLUB, LLC, a)
Hawai`i limited liability)
company, et al.,)
)
Defendants,)
)
and)
)
FRANKLIN K. MUKAI,)
)
Third-Party)
Plaintiff,)
)
vs.)
)
SPORTS SHINKO CO., LTD.,)
a Japan corporation, et al.,)
)
Third-Party)
Defendants.)

)

SPORTS SHINKO (USA) CO., LTD, a) CIVIL NO. CV 04-00126
Delaware corporation,) ACK/BMK
)
Plaintiff,)
)
vs.)
)
KIAHUNA GOLF CLUB, LLC,)
a Hawai`i limited liability)
company, et al.,)
)
Defendants,)
)
and)
)
FRANKLIN K. MUKAI,)
)
Third-Party)
Plaintiff,)
)

vs.)
)
SPORTS SHINKO CO., LTD.,)
a Japan corporation, et al.,)
)
Third-Party)
Defendants.)

)
)
SPORTS SHINKO CO., LTD., a) CIVIL NO. CV 04-00127
Japanese corporation,) ACK/BMK
)
Plaintiff,)
)
vs.)
)
)
OR HOTEL, LLC, a Hawai`i)
limited liability company,)
et al.,)
)
Defendants,)
)
and)
)
FRANKLIN K. MUKAI,)
)
Third-Party)
Plaintiff,)
)
vs.)
)
SPORTS SHINKO (USA) CO., LTD.,)
a Delaware corporation, et al.,)
)
Third-Party)
Defendants.)

)
)
SPORTS SHINKO (USA) CO., LTD.,) CIVIL NO. CV 04-00128
a Delaware corporation,) ACK/BMK
)
Plaintiff,)
)
vs.)
)
MILILANI GOLF CLUB, LLC,)
a Hawai`i limited liability)
company, et al.,)
)
Defendants,)

)
and)
)
FRANKLIN K. MUKAI,)
)
Third-Party)
Plaintiff,)
)
vs.)
)
SPORTS SHINKO CO., LTD.,)
a Japan corporation, et al.,)
)
Third-Party)
Defendants.)
)

**ERRATA TO PLAINTIFFS' AND THIRD-PARTY DEFENDANTS' MEMORANDUM
IN OPPOSITION TO KG DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
IN CV NO. 04-00128 ACK-BMK FILED JANUARY 13, 2006,
FILED FEBRUARY 21, 2006 AND SUBMISSION OF TRANSLATION OF
EXHIBIT "T-1" TO THE DECLARATION OF TSUGIO FUKUDA**

Third-Party Defendants SPORTS SHINKO CO., LTD., SPORTS SHINKO (HAWAII) CO., LTD., SPORTS SHINKO (MILILANI) CO., LTD., SPORTS SHINKO (KAUAI) CO., LTD., SPORTS SHINKO (PUKALANI) CO., LTD., SPORTS SHINKO RESORT HOTEL CORPORATION, SPORTS SHINKO (WAIKIKI) CORPORATION, and OCEAN RESORT HOTEL CORPORATION (collectively, the "**SS Companies**"), by and through their attorneys, Alston Hunt Floyd & Ing, hereby submit an Errata to their Memorandum in Opposition to KG Defendants' Motion for Summary Judgment in CV No. 04-00128 ACK-BMK filed on January 13, 2006, filed herein (the "MIO"), as follows:

• On page 11 of the MIO, the word "administrator" should follow the word "interim" in the chronology entry for 2/4/02. The final Stipulation In Lieu of Exhibits B, C, D, And E, to KG Defendants' Motion For Summary Judgment in CV No. 04-00128 ACK/BMK, filed herein on February 28, 2006 ("Stipulation"), did not include this specific fact, but the date of the appointment of the interim administrator for Sports Shinko Co., Ltd. by the Osaka District Court is not disputed by the KG Defendants, who reviewed the February 4, 2002 Osaka District Court order appointing the interim administrator prior to the entry of the Stipulation.

• In Par. 7 of the Declaration of Glenn T. Melchinger attached to the MIO, made in support of Plaintiffs' F.R.C.P. Rule 56(f) motion, I stated that Defendant Mukai "apparently will not produce documents in electronic form, as requested." I apologize for this misstatement. Mr. Bordner had informed me by email that two documents would be produced of one page each. On February 22, 2006, Mr. Mukai produced two (2) documents in electronic form on CD-ROM. The computer records containing the metadata associated with these documents (e.g., document author, modification/access dates, version information, etc.) has, however, not been produced so as to make these electronic documents intelligible to the SS Companies.

In addition to the English explanation regarding Ex. "T-1" contained in the Declaration of Tsugio Fukuda at ¶ 15, Plaintiff hereby submits a true and correct English translation of that Exhibit, attached hereto as Ex. "T-1E". This translation has been provided to Defendants' counsel.

DATED: Honolulu, Hawai'i, March 2, 2006.

/s/ Glenn T. Melchinger

PAUL ALSTON

GLENN T. MELCHINGER

Attorneys for Plaintiffs
and Third-Party
Defendants,
the SS Entities